

107TH CONGRESS
1ST SESSION

H. R. 1001

To amend title XIX of the Social Security Act to make optional the requirement that a State seek adjustment or recovery from an individual's estate of any medical assistance correctly paid on behalf of the individual under the State Medicaid plan.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2001

Mr. RAHALL introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to make optional the requirement that a State seek adjustment or recovery from an individual's estate of any medical assistance correctly paid on behalf of the individual under the State Medicaid plan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MAKING MEDICAID ESTATE RECOVERY OP-**
4 **TIONAL.**

5 (a) IN GENERAL.—Section 1917(b)(1) of the Social
6 Security Act (42 U.S.C. 1396p(b)(1)) is amended by strik-

1 ing “shall seek” each place it appears and inserting “may
2 seek”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall take effect on the date of the enact-
5 ment of this Act. A State (as defined for purposes of title
6 XIX of the Social Security Act) may apply such amend-
7 ments to estates and sales occurring at such earlier date
8 as the State may specify.

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